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Eighteenth session

Summary record of the 338th meeting
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Chair: Ms. Degener

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The meeting was called to order at 3 p.m.

Consideration of reports submitted by parties to the Convention under article 35 (*continued*)

Initial report of Morocco (CRPD/C/MAR/1; CRPD/C/MAR/Q/1 and Add.1)

1. *At the invitation of the Chair, the delegation of Morocco took places at the Committee table.*

2. **Ms. Hakkaoui** (Morocco), introducing her country's initial report (CRPD/C/MAR/1), said that Morocco had become a party to the Convention and the Optional Protocol thereto in 2009. The rights of persons with disabilities were also enshrined in the Constitution of 2011, which prohibited discrimination on the grounds of disability, and in a number of other laws and regulations.

3. In 2015, the Government had adopted an integrated public policy for the promotion of the rights of persons with disabilities for the period 2017-2026. The drafting of the policy had involved a wide range of stakeholders, including civil society, State bodies, experts and organizations of persons with disabilities. The policy contained different cross-cutting measures to be undertaken by all State bodies. In 2017, the Government had adopted an action plan to implement the integrated public policy based on a human-rights approach. Over 20 workshops had been held and more than 400 measures taken pursuant to the action plan. In addition, performance indicators had been established in order to monitor the implementation of the plan.

4. Framework Law 97-13 contained an advanced and modern definition of disability. The Law focused on a number of key areas, such as the interaction between persons with disabilities and their environment, combating disability-based discrimination, participation and integrated development. The recently-conducted second national disability survey had led to the adoption of a more interactive model of disability that drew on relevant World Health Organization guidance. There were over 2.6 million persons with disabilities in Morocco, of whom almost 200,000 had a severe disability. The survey had provided qualitative and quantitative data that would help to highlight where the shortcomings and challenges lay with regard to disability-related policy.

5. In an effort to implement the 2030 Agenda for Sustainable Development and to meet the targets related to disability, a number of workshops had been held. In addition, various initiatives had been launched to combat poverty and exclusion, including programmes aimed at improving the school attendance of children with disabilities and the professional integration of persons with disabilities and providing widows and parents of children with disabilities with direct financial benefits.

6. A law on access for persons with disabilities, adopted in 2013, established minimum accessibility criteria for public transport, the built environment and communications. A number of regulatory orders would be promulgated in 2017 in order to define relevant technical standards and facilitate the implementation of the law. Between 2012 and 2016, a programme of cooperation had been implemented in partnership with the World Bank to ensure the accessibility of urban areas for persons with disabilities in four major cities of Morocco. Marrakech had served as the model city for the programme and, consequently, accessibility of infrastructure across the city had been vastly improved. In accordance with Audiovisual Communication Act No. 77-03, accessibility of broadcasts for persons with hearing impairments was ensured through sign language interpretation. In addition, a programme had been initiated to standardize Moroccan Sign Language and train more sign language interpreters.

7. The Ministry of the Family, Solidarity, Equality and Social Development was responsible for coordinating government policy on the rights of persons with disabilities, and an interministerial commission had been established to monitor the implementation of disability-related programmes and strategies. Efforts were being made to form a national disability observatory to facilitate the exchange of ideas and data among relevant stakeholders and contribute to evaluation, with a view to having a more effective evaluation

mechanism. In addition, a bill had been prepared to authorize the National Human Rights Council to monitor the situation of persons with disabilities.

8. A strategic vision for reform of the education and training system (2015-2030) had been adopted. The Ministry of National Education, Vocational Training, Higher Education and Scientific Research was focusing on the issue of access to education for children with disabilities. A new integrated approach was being pursued whereby no person would be excluded from education or training on the grounds of disability. As at 2014, almost 50 per cent of children with disabilities aged between 6 and 17 years were in school, which constituted a 16 per cent increase on figures from 2004. Approximately 700 integrated classes for children with disabilities had been set up in Moroccan schools, benefiting some 8,000 children. Moreover, the final-year examinations taken by students in primary and secondary school had been made more accessible for children with disabilities.

9. Under Act No. 65-00 on compulsory basic health coverage, children with disabilities were covered by the sickness insurance and medical assistance schemes provided that their parents were insured. Framework Law 97-13 called for the early diagnosis of disability and guaranteed the right to medical treatment, consultations and rehabilitation. The National Health and Disability Plan for the period 2015-2021 promoted the early diagnosis of diseases that could cause disability and the improvement of rehabilitation services for persons with disabilities; it also contained measures to raise awareness among the general public with respect to disability and prevent discrimination. In addition, a new law had been adopted on the right of persons with mental disabilities to dignity, confidentiality and privacy and on the need to seek their free and informed consent, where possible, prior to medical treatment.

10. The quota system for the employment of persons with disabilities in the public sector had been revised. Competitive recruitment examinations were held specifically for those persons to ensure that the quotas were filled. In 2017, a law had been passed to establish non-discriminatory recruitment conditions for civil service posts. Efforts were being made to establish employment quotas in the private sector too. The Labour Code explicitly condemned discrimination in the field of employment, while the Social Solidarity Support Fund ensured a decent living to persons with disabilities.

11. The Constitution of Morocco provided for the participation of civil society in policymaking. A number of civil society associations had actively assisted the Government in developing integration policies for persons with disabilities. Regional workshops had been held in that regard and memorandums had been exchanged between State bodies and civil society organizations. Civil society also contributed actively to awareness-raising campaigns, such as the 2016 campaign entitled "Providing access. Facilitating life". The number of organizations of persons with disabilities had increased considerably: in 1994, there had been 50 such organizations, whereas there were currently around 1,000. The organizations received financial support from the Government. For example, groups promoting the schooling of children with disabilities had received over 50 million dirhams from the State in 2016. Similarly, the funds allocated to associations working in the field of disability sports had increased from 3 million dirhams in 2011 to 8 million dirhams in 2016.

12. In the next few years, the Government intended, inter alia, to enhance the implementation of Framework Law 97-13, reform outdated legislation and further improve the social support system for persons with disabilities. Such efforts would require individual, national and international expertise. Combating negative ideas and stereotypes about persons with disabilities remained one of the biggest challenges in Moroccan society. Attitudes would be changed only through the promotion of a culture of non-discrimination, as called for in the Constitution and the Convention.

13. **Ms. Amraoui** (National Human Rights Council, Morocco) said that the Council was an independent body that had been awarded A status by the Subcommittee on Accreditation of the Global Alliance of National Human Rights Institutions. It had 13 regional committees and worked to ensure the promotion and protection of human rights in Morocco.

14. The Council welcomed the approval of the National Action Plan 2017-2021 to promote the rights of persons with disabilities and trusted that funding for the Plan's implementation would be provided in the 2018 finance law. Despite the progress that had

been made, a number of challenges remained for persons with disabilities in Morocco, notably with regard to the effective exercise, on an equal basis with others, of their rights to education, employment and social protection.

15. Although the right to inclusive education was enshrined in the Constitution, children with disabilities encountered difficulties in gaining access to education. School enrolment procedures, the availability of school support assistants and reasonable accommodation were three areas of concern. The Council urged the Government to adopt an inclusive education policy for persons with disabilities regardless of the type or severity of disability. The Sustainable Development Goals, particularly target 4.5, should be taken into consideration.

16. With regard to employment, the Council called on the Government to provide in the next finance law funding for cross-cutting measures to improve the inclusion of persons with disabilities in public and private sector employment, along with relevant indicators.

17. The Council wished to draw attention to the plight of women with disabilities, who were not prioritized in policies and programmes aimed at assisting women. Similarly, families of persons with disabilities, particularly those in situations of vulnerability, continued to be subjected to numerous violations of their rights and were obliged to pay in full for the additional costs incurred as a result of the disability of their family member. Despite the fact that a social protection system was in place, the services available did not meet the needs of persons with disabilities.

18. Penal institutions must ensure physical accessibility for detainees with disabilities, as well as access to information and communication. The Council noted with regret that the second national disability survey had not taken account of detainees with disabilities or persons with disabilities placed in social protection centres.

19. The Council was concerned that restrictions imposed under national law on the exercise of legal capacity by persons with disabilities were an obstacle to people with intellectual disabilities or visual impairments seeking to manage their financial and administrative affairs.

20. Lastly, it hoped that Parliament would adopt, at its next session, the bill pertaining to the reorganization of the Council. The bill, if adopted, would enable the Council to function as an independent mechanism to promote and protect the rights of persons with disabilities and monitor the implementation of the Convention.

21. **Mr. Basharu** (Country Rapporteur) said that Morocco had made tremendous strides in the area of human rights, in particular since the adoption of the new Constitution in 2011. The recent adoption of Framework Law 97-13, which was the centrepiece of government efforts to improve legislation concerning persons with disabilities, could also be considered a step forward, although it fell short in a number of areas. It appeared not to apply explicitly to persons with psychosocial or intellectual disabilities, for instance, and it failed to establish that denial of reasonable accommodation was a form of disability-based discrimination. Those shortcomings would have to be addressed, and a number of other laws and policies would have to be amended to bring them into line with the Convention.

22. The Government should take urgent measures to address the troubling situation of women and girls with disabilities, who were victims of discrimination on multiple grounds and were regularly subjected to violence. Despite that state of affairs, however, the first annual report on violence against women, published in 2015, had not mentioned women with disabilities, their lack of access to justice or their continued subjection to sterilization. The Government should make every effort to achieve Sustainable Development Goal 5.2, on the elimination of all forms of violence against all women and girls in the public and private spheres.

23. The Committee had been informed that not even 42 per cent of children with disabilities were enrolled in school, and such education as they received was more likely to be provided by non-governmental organizations (NGOs) than by the State. Children with disabilities who lived in rural areas were particularly unlikely to attend school. The State party should adopt a national strategy for the deinstitutionalization of children with

disabilities, who accounted for the majority of children in institutions for abandoned children.

24. It would be interesting to know more about the obstacles to recognizing sign language as an official language in the State party. Such recognition would contribute to the inclusion of deaf and hard-of-hearing persons in all aspects of life. Morocco had been delaying its ratification of the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled, an instrument whose adoption it had championed.

25. The State party should provide the National Human Rights Council with the resources it needed to monitor the implementation of the Convention and protect the rights of persons with disabilities. Developing mechanisms for the effective and meaningful consultation and participation of all persons with disabilities and their representative organizations was also of critical importance. Sufficient funds should be earmarked for such efforts.

26. He was confident that the issues he had raised would prompt a discussion that would help persons with disabilities in Morocco develop a full sense of belonging. He looked forward to a constructive dialogue on the efforts made by the State party to ensure that persons with disabilities could take their rightful place in Moroccan society.

Articles 1-10

27. **Mr. Ruskus** said that Framework Law 97-13 had been heavily criticized for its incompatibility with the Convention even before its entry into force. In view of the Framework Law's controversial provisions, notably those on disability prevention, which were evidently based on the medical model of disability, and its failure to provide for inclusive education or address the need to provide support for living independently, he wondered to what extent organizations of and for persons with disabilities had been consulted in advance of the drafting and adoption of the Law. He also wished to know what plans the Government had made to incorporate the provisions of the Convention into the Framework Law and relevant subsidiary legislation and thus to ensure that those texts reflected a more rights-based approach to disability.

28. **Mr. Tatić** said that he would welcome an indication of the number of people who had been charged and convicted under the provisions of the Criminal Code that made discrimination against persons with disabilities a criminal offence. The delegation should provide updated information on the outcome of the nearly 100 complaints, mentioned in the State party's report (CRPD/C/MAR/1, para. 81), that the Office of the Ombudsman had received from persons with disabilities. He would appreciate a comment from the representatives of the National Human Rights Council on the effectiveness of legal remedies in cases of disability-based discrimination.

29. It would be interesting to learn more about the legal framework for combating the multiple forms of discrimination faced by women and girls with disabilities in the State party. Article 9, on accessibility, was the backbone of the Convention, and in that regard he would welcome more information on the results of the urban accessibility projects that had been carried out with the support of the World Bank. He wished to know, for example, how accessible the cities concerned, including their public transport, had become. In that connection, he wondered what would happen if he, a wheelchair user, flew to Rabat for meetings with government officials. Would their offices be located in accessible buildings?

30. **Mr. Martin** said that he wished to know what the Moroccan authorities had done to make sure that people with intellectual disabilities attended the commendable training courses on the Convention that had been offered to people with disabilities.

31. **Mr. Chaker** said that a segment of Moroccan civil society had expressed reservations — he was weighing his words — about Framework Law 97-13. Since those reservations suggested that civil society participation in the preparation of the Framework Law had not been entirely effective, he wondered what mechanisms had been put in place to ensure that members of civil society could contribute meaningfully to efforts to build a better society. He also wished to know what practical steps the Government planned to take

to ensure that persons with disabilities had real access to public transport, public institutions, and information and communication technology. Access to that technology was critical, not least because, by enabling persons with disabilities to work, it offered greater guarantees of a decent life.

32. **Mr. Buntan** asked to what extent the State party had helped persons with disabilities, through their representative organizations, participate in formulating, implementing and monitoring the application of laws and policies affecting their lives. In connection with article 5, he wished to know what measures were taken to protect persons with disabilities, lesbian, gay, bisexual, transgender and intersex (LGBTI) persons in particular, who were often victims of multiple forms of discrimination.

33. With regard to article 9, he wondered whether any sanctions were established in Accessibility Act No. 03-10 for non-compliance with the Act's accessibility requirements and whether the Act addressed all aspects of accessibility, including access to information and communication technology. Had any internationally recognized accessibility standards been incorporated into the Act?

34. **Mr. Langvad** asked what the State party did to empower organizations of and for persons with disabilities to become equal partners in awareness-raising campaigns aimed at creating a positive image of persons with disabilities, women and children in particular.

35. **Mr. Kim** Hyung Shik said that the Committee would welcome an indication of how policy measures touching on the rights of persons with disabilities were harmonized with the country's laws. The delegation should elaborate on the adoption of Framework Law 97-13 and the integrated public policy for the promotion of the rights of persons with disabilities for the period 2017-2026. It would be particularly interesting to know how deeply persons with disabilities and their representative organizations had been involved in the development of the Framework Law or, indeed, given their apparent dissatisfaction with the Law, whether they had been involved at all.

36. **Mr. Pyaneandee** noted the importance of using appropriate terminology in respect of disability. There remained room for improvement in that regard in the State party, notably where mental disability was concerned. Turning to the issue of inclusion, he asked how the Moroccan authorities intended to remedy their failure to consult women with disabilities on the development of "Ikram 2", a national action plan on gender equality.

37. **Mr. Babu** said that he would welcome specific information on the awareness-raising campaigns mentioned by the head of delegation in her opening address, including the names of the campaigns and the number of people they had reached. He wondered whether there were penalties for non-compliance with the country's accessibility standards and whether anyone had ever been brought to book for such non-compliance.

38. **Mr. Ahaif** said that he would like to know more about the content of the planned strategy and legislative framework designed, according to the State party's report (CRPD/C/MAR/1, para. 91), to further the social integration of persons with disabilities. In particular, he wondered whether the strategy and the framework would incorporate advances that had been made around the world.

39. In addition, he would like to know whether a plan had been developed to encourage the media to portray persons with disabilities in a manner consistent with the purpose of the Convention. He wished to join several of his fellow Committee members in asking what penalties there were for public and private organizations that failed to comply with accessibility standards.

40. **Mr. Kabue** noting that, according to the State party's replies to the list of issues (CRPD/C/MAR/Q/1/Add.1), persons with disabilities were represented on the National Human Rights Council and its regional committees, asked how and by whom members with disabilities were appointed and whether they were provided with the means to participate effectively.

41. It was commendable that a law had been adopted specifying that treaties ratified by Morocco formed part of national legislation. In that connection, he wondered how the Convention had influenced Moroccan law, particularly in regard to accessibility and to

redress for persons with disabilities whose rights were violated. The State party's submission indicated that there was nothing to prevent judges from deeming lack of reasonable accommodation to constitute disability-based discrimination. Were there any instances in which they had done so?

42. **Mr. Ishikawa**, recalling the Committee's general comment No. 2 (2014) on accessibility, said that, while the Ministry of Planning and Transport's use of public procurement regulations to promote accessibility was a positive development, those regulations should be applied more broadly to include public websites and educational textbooks. He would welcome further information about how public procurement was used to promote accessibility in general.

43. **The Chair** said that she shared the views of Mr. Ruskus on the inclusion of provisions on disability prevention in Framework Law 97-13 and the concern of Mr. Buntan regarding the treatment of LGBTI persons in the State party. According to the information received by the Committee, lesbian, gay, bisexual and transgender persons were diagnosed as mentally ill and intersex persons were subject to corrective surgery, which amounted to cruel and degrading treatment.

44. **Mr. Barbara** said that he would appreciate information on the measures in place to ensure the meaningful participation of persons with disabilities. He asked how many women with disabilities were included in the body implementing the "Ikram 2" gender equality action plan.

The meeting was suspended at 4.25 p.m. and resumed at 4.40 p.m.

45. **Ms. Hakkaoui** (Morocco) said that she wished to allay some of the concerns expressed by Committee members about civil society participation in Morocco. Her Government was committed to such participation and was endeavouring to ensure that persons with disabilities were fully involved in all government projects on disability. The principle of civil society participation was enshrined in the Constitution, and indeed her Government wished civil society organizations to take an even greater role in developing and implementing legislation and public policy.

46. **Mr. Ait Brahim** (Morocco) said that the Government had been working to harmonize national law with the provisions of the Convention. The country's first law on promoting the rights of persons with disabilities — Framework Law 97-13 — included definitions based on articles 1 and 2 of the Convention. Specifically, it referred to the interaction between persons with disabilities and their environment, to reasonable accommodation and to disability as an evolving concept. It also addressed discrimination, which could, inter alia, take the form of denial of service. Care had been taken to ensure that no pejorative terms were used.

47. **Mr. Cheikhi** (Morocco) said that the Convention took precedence over national legislation, including the Constitution, while some provisions of the Convention had been incorporated directly into national laws. All laws were undergoing review, and those that were not in line with the Convention would be amended or repealed. Education and training were crucial to ensuring that children with disabilities were able to enjoy their rights; harmonizing the relevant laws with the Convention was therefore a priority. The Government also planned to amend the Criminal Code to increase protection for persons with disabilities.

48. **Mr. Najim** (Morocco) said that, under the new Criminal Code, any conduct constituting discrimination against or degrading treatment of persons with disabilities was a criminal offence. The Code specified sanctions for perpetrators, including significant fines and imprisonment for up to 2 years, which could be doubled if evidence was found of incitement to hatred or discrimination. The courts had invoked the Convention on numerous occasions, such as in ruling No. 686, which provided for compensation for persons with disabilities in cases where hospitals had not provided adequate care.

49. **Mr. Elguessousi** (Morocco) said that laws had been enacted to ensure that persons with disabilities had access to communications and transport in urban areas, in addition to administrative measures focusing on accessibility of the built environment. All the projects initiated under the programme of cooperation with the World Bank had been successfully

completed. Research into accessibility needs had been carried out, and engineers and officials working in building design had conducted peer-to-peer training to improve accessibility.

50. **Ms. Gharbi** (Morocco) said that building permits were not issued unless the proposed structures complied with accessibility requirements. All public procurement took place following a call for bids, and such bids must comply with relevant criteria, including with respect to accessibility. Accessibility was also taken into account in town planning and urban development projects. Moreover, training modules had been introduced at the National Engineering School, the National Construction School and the School of Architecture to ensure that all public buildings and government departments were accessible. Fines and prison sentences could be handed down in cases where buildings did not meet accessibility standards. Persons in charge of building sites could be compelled to demolish their work in case of an infringement.

51. **Ms. Nahil** (Morocco) said that the Government was implementing an action plan and a programme of work to guarantee accessibility of public transport. It had adopted all international standards relating to air travel for persons with disabilities, and assistance was available at all transport terminals. Access parameters had been established for public road transportation, and a guide on safety equipment for all road transportation, which addressed the needs of persons with disabilities, had been distributed to regional authorities.

52. **Mr. Ait Brahim** (Morocco) said that national legislation guaranteed the right of all citizens, including persons with disabilities, to have full access to education. Implementing that right entailed adapting programmes and curricula, among other steps. Persons with disabilities had the right to enrol in their nearest educational establishment, and State schools were required to facilitate access for learners with disabilities. School attendance among children with disabilities had risen to almost 50 per cent, and teachers and school inspectors were receiving training to improve access to education still further.

53. **Mr.** Mohamed Anouar **Boukili** (Morocco) said that there were specialized centres for persons with disabilities within the education system, while integration sections within schools helped create bridges to mainstream establishments. Under the reforming, integration-based approach adopted by the educational authorities, the different types of disability were taken into account.

54. **Mr. Ait Brahim** (Morocco) said his Government recognized that the Convention ratified by Morocco was based on disability rights, not disability prevention. There was no prenatal diagnosis of disabilities, but medical staff endeavoured to identify disabilities early in order to minimize their impact.

55. **Mr. Diouri** (Morocco) said that Framework Law 97-13 contained articles on the prevention and treatment of different disabilities. Bill No. 71-13 on mental disability was intended to bring national legislation in that area into line with the Convention. There was in addition a royal decree providing for awareness-raising in relation to mental disabilities and training for doctors. A law was being drafted that would enable alleged abuses of the rights of persons with disabilities in hospitals to be investigated.

56. **Ms. Hakkaoui** (Morocco) said that her country had worked for decades towards women's emancipation and empowerment and had made progress in protecting women with disabilities. Under the Family Code, all women, including women with disabilities, enjoyed full rights. While research might not focus specifically on women with disabilities, and while data might not be disaggregated, the results were nevertheless relevant. The Ministry of the Family, Solidarity, Equality and Social Development was working with the Office of the United Nations High Commissioner for Human Rights to ensure that future research took the situation of women with disabilities fully into account. A new law on parity and combating all forms of discrimination had been ratified by Parliament and would constitute an additional institutional mechanism for furthering parity and equality, including for women with disabilities.

57. She was pleased to announce that Parliament had just ratified the Marrakesh Treaty. It had been an honour for Morocco to host the negotiations. While not all the background

documents had been translated into Braille in advance of the meeting, her Government was nevertheless very interested in using that means of communication.

58. **Ms. Amraoui** (National Human Rights Council, Morocco) said that the Council had received 211 complaints regarding violations of the rights of persons with disabilities. Some 80 per cent of those had concerned access to inclusive education, including enrolment in school, adaptation of programmes and examinations, denial of the right to take part in activities, exclusion from school on the basis of disability and the March 2017 law on examinations. The Council had been able to resolve some but not all of the complaints.

59. The Council's thematic report on equality and parity in Morocco, published in 2015, included an analysis of the impact of public policies on the most vulnerable women, including women with disabilities. This report concluded that such women, far from being empowered, suffered from multiple discrimination — because of their gender, their disability and in some cases poverty.

Articles 11-20

60. **Mr. Martin** asked how the State party was implementing article 12 of the Convention. Was it taking steps to eliminate guardianship laws and substitute decision-making? What measures were used to ensure that people deprived of legal capacity understood their rights in that regard? Was the information available in easy-to-read and other accessible formats?

61. He had been concerned to learn that children with disabilities who had no family typically spent their lives in institutions; he wished to know how many children were concerned. He asked what the time frame was for closing institutions for people with disabilities. He would encourage the State party to close such institutions as rapidly as possible.

62. **Mr. Tatić** said that he was glad to see a representative of the National Human Rights Council participating in the meeting. He asked how information about natural disasters was rendered accessible to persons who had a sensory impairment or an intellectual or psychosocial disability. He would appreciate specific data on the number of sign language interpreters available to deaf citizens for participating in judicial and municipal proceedings. He would also welcome updated information on the outcome of the programme for training judges, social workers and personnel responsible for the reception of petitioners mentioned in paragraph 78 of the State party's report. Was the training continuing on a regular basis? Lastly, he wished to know whether persons with disabilities who required round-the-clock help with daily activities were able to get such help.

63. **Mr. Ruskus** said that he was concerned about the situation of persons with psychosocial disabilities. Paragraph 66 of the State party's report contained a quotation from paragraph 213 of the Family Code stating that legal capacity was deemed to be lacking in a person who was "*prodigue*" (a spendthrift) or "*faible d'esprit*" (feeble-minded). The Code defined "*faible d'esprit*" as not being able to control one's thoughts or actions. What steps was the State party taking to amend those provisions so as to allow persons with psychosocial disabilities to enjoy their legal rights?

64. As far as he knew, persons with psychosocial disabilities in the State party were typically abandoned or placed in psychiatric institutions. The delegation should provide statistics, disaggregated by age and sex, on how many persons with disabilities were in such institutions. He had been perturbed by information provided by the Moroccan Human Rights Association concerning the Bouya Omar institution, where persons with psychiatric conditions had until recently been held and mistreated. Lastly, he would like to know what measures the State party took, or would take, to guarantee that persons with disabilities who were deprived of liberty were under judicial oversight in order to guarantee their rights under article 14.

65. **Mr. Chaker** asked whether prison workers were trained to respect the rights of persons with disabilities, including their right to access to justice and their right to use means of communication such as Braille and sign language.

66. **Mr. Langvad** said that he had never before seen a government and organizations representing persons with disabilities give such divergent accounts of the state of affairs in the country under discussion. The Government of Morocco should seize the opportunity presented by the interactive dialogue to gather specific, implementable and necessary proposals for accelerating the process of according persons with disabilities their rights and their due place in society.

67. He would like to have more information about the living conditions of persons with disabilities who were in institutions — for example, the size of such institutions, whether persons with different types of disabilities lived together, the types of age-appropriate accommodation that were provided, and the kinds of community-based support that would be needed to speedily phase out such institutions and enable the full inclusion of persons with disabilities in the community.

68. **Mr. Rukhledev** asked how information about major royal decrees could be conveyed to deaf persons if Moroccan Sign Language had no official status. He asked to what extent the rights enumerated in article 12 of the Convention were protected, including the right of persons with disabilities to control their own financial affairs; to have equal access to bank loans, mortgages and other forms of financial credit; and not to be arbitrarily deprived of their property. Lastly, he wished to know whether the services of sign language interpreters were made available to deaf persons involved in court proceedings and, if so, who paid for such services and whether national organizations representing deaf persons took part in the accreditation of the interpreters.

69. **Mr. Kim** Hyung Shik asked how the offences of abuse and exploitation were defined. He would also like to know whether women and children with disabilities were adequately protected from violence and indecent assault, and whether the delegation could supply relevant statistical data.

70. The report's discussion of article 19 did not mention any support mechanisms for independent living. How many persons with disabilities were living in institutions, and did the State party have any plans for deinstitutionalization?

71. **Mr. Pyaneandee** noted that Framework Law 97-13 unfortunately did not address the provision of procedural and age-appropriate accommodations pursuant to article 13 on access to justice. How did the State party intend to address the issue, particularly in relation to, for example, women deprived of their liberty or persons who were victims of violence or other forms of abuse or exploitation?

72. **Mr. Kabue** asked whether persons with disabilities had access to legal assistance and what types of cases relating to the rights of persons with disabilities had reached the courts.

73. **Mr. Buntan** said that he would appreciate an update on the national strategy for the management of medical emergencies and disaster-related risks. In particular, he wondered whether it had been adjusted in the light of the Sendai Framework for Disaster Risk Reduction 2015-2030. He also wished to know whether the State party had signed the Charter on Inclusion of Persons with Disabilities in Humanitarian Action.

74. He asked what measures the State party had taken to empower persons with disabilities to work in the field of justice in order to help improve access to justice for other such persons. Lastly, he would like to know under what circumstances persons with disabilities could legally be forced to undergo an abortion or sterilization.

75. **Mr. Alsaif** asked whether any laws had been enacted or other measures taken to protect the rights of persons with disabilities in emergencies and humanitarian crises. He wished to know whether such persons, when participating in court proceedings, were provided with sign language interpretation if they required it. He requested specific examples of persons with disabilities, particularly women, who had been subjected to cruel or inhumane treatment.

76. **The Chair** noted that, according to paragraph 66 of the State party's report, under the Family Code, persons with intellectual disabilities were considered to lack legal capacity. Yet article 12 of the Convention stated that persons with disabilities had the right

to have their legal capacity recognized, and that States parties must take appropriate measures to provide access by such persons to the support they might require in exercising their legal capacity. Did the State party intend to replace guardianship laws and other substitute decision-making regimes with supported decision-making arrangements, and would it involve civil society in that process?

77. She wondered whether the provisions for access to justice described in paragraphs 72 to 83 of the report complied with article 13 of the Convention. For instance, in legal proceedings representatives were appointed for persons with disabilities who were deemed to lack legal capacity. Were there plans to provide procedural and age-appropriate accommodations to enable persons with disabilities to participate directly or indirectly in proceedings as agents of their own rights?

78. She had found no information in the report or the replies about measures to prevent violence, especially sexual violence, against women and children with disabilities. Research, as well as reports by the Special Rapporteur on violence against women, including its causes and its consequences, showed that such women and children had a greatly heightened risk of experiencing violence, especially if they lived in institutions or in patriarchal cultures. Did the State party plan to tackle the issue, and did it have a monitoring mechanism as stipulated in article 16, paragraph 3, of the Convention?

79. **Mr. Basharu** asked what percentage of court petitions concerning the right to marry were filed on behalf of persons with intellectual disabilities. He requested statistical data on cases of violence and abuse perpetrated in hospitals and places where persons with disabilities were held involuntarily. He asked whether the State party intended to facilitate the release of such persons so that they could live with their families or in other appropriate living arrangements in society.

The meeting rose at 5.50 p.m.